

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jul 22, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER IVAN FLORES,

Defendant.

No. 2:21-CR-00043-TOR-7

ORDER FOLLOWING DETENTION  
REVIEW HEARING AND ORDER  
OF RELEASE TO INPATIENT  
TREATMENT

**MOTION GRANTED**  
**(ECF No. 143)**

At Defendant's July 21, 2021, detention review hearing, Defendant appeared while in custody with Attorney Frank Cikutovich. Assistant U.S. Attorney George Jacobs represented the United States. U.S. Probation Officer Patrick Dennis was also present.

Both sides presented argument.

The Court has reviewed Defendant's motion to reconsider, **ECF No. 143**, the Pretrial Services Report, **ECF No. 122**, the Supplemental Pretrial Services Report, **ECF No. 130**, the inpatient treatment assessment and the argument of counsel.

The United States opposed release of Defendant, arguing that the Pretrial Services report demonstrated both a risk of flight and a danger to the community that could not be addressed by conditions.

Pursuant to 18 U.S.C. § 3142 the Court finds the United States has not established by the required preponderance of evidence an absence of conditions or combination of conditions that would reasonably assure this Defendant's presence at trial and has not established by clear and convincing evidence that Defendant poses a present risk to the safety of other persons or the community if released for a limited period to inpatient treatment under the conditions specified herein.

**IT IS ORDERED** Defendant's motion, **ECF No. 143**, is **GRANTED**. The Defendant shall be released at **noon on July 23, 2021** to Sun Ray Court for inpatient treatment.

While released from the U.S. Marshal's custody, Defendant shall be supervised by Pretrial Services and subject to the following conditions:

#### **STANDARD CONDITIONS OF RELEASE**

- (1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement. Defendant shall not work for the United States government or any federal or state law enforcement agency, unless Defendant first notifies the supervising Pretrial Services Officer in the captioned matter.
- (2) Defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.
- (3) Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
- (4) Defendant shall sign and complete A.O. Form 199C before being released and shall reside at the address furnished.
- (5) Defendant shall not possess a firearm, destructive device or other dangerous weapon.
- (6) Defendant shall report to the United States Probation Office before or

1 immediately after release and shall report as often as they direct, at such  
2 times and in such manner as they direct.

3 (7) Defendant shall contact defense counsel at least once a week.

4 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n), it is unlawful  
5 for any person who is under indictment for a crime punishable by  
6 imprisonment for a term exceeding one year, to possess, ship or transport in  
7 interstate or foreign commerce any firearm or ammunition or receive any  
8 firearm or ammunition which has been shipped or transported in interstate or  
9 foreign commerce.

9 (9) Defendant shall refrain from the use or unlawful possession of a narcotic  
10 drug or other controlled substances defined in 21 U.S.C. § 802, unless  
11 prescribed by a licensed medical practitioner in conformance with Federal  
12 law. Defendant may not use or possess marijuana, regardless of whether  
13 Defendant has been authorized medical marijuana under state law.

13 (10) Defendant shall surrender any passport and enhanced driver's license to  
14 Pretrial Services and shall not apply for replacements.

15 (25) **Inpatient Treatment:** Defendant shall immediately enter into and  
16 successfully complete an inpatient treatment program.

17 Defendant shall provide waivers of confidentiality permitting the United  
18 States Probation Office and the treatment provider to exchange without  
19 qualification, in any form and at any time, any and all information or records  
20 related to Defendant's conditions of release and supervision, and evaluation,  
21 treatment and performance in the program. It shall be the responsibility of  
22 defense counsel to provide such waivers.

22 Pretrial Services will monitor Defendant while in treatment. Defendant shall  
23 comply with all directives of the U.S. Probation Officer.

24 If Defendant terminates any treatment program before it is completed, the  
25 treatment provider and Defendant shall immediately notify the U.S. Probation  
26 Officer, and Defendant shall immediately return to the custody of the U.S.  
27 Marshal.

28 ///

1           **Defendant shall return to the custody of the U.S. Marshal upon**  
2 **completion of treatment, absent further order of the Court.**

3           **IT IS SO ORDERED.**

4           DATED July 22, 2021.

A handwritten signature in black ink, appearing to be "M" or "Rodgers".

---

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE